

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN AND FOR _____ COUNTY

Plaintiff(s),
v.
Defendant(s).

:
:
:
:
:
:
:
:

C. A. No.:

Continuing Mediation Record

Today's Date: _____, 201__ Defendant's Housing Representative: _____

What type of Mediation Record is this: __Initial Conference __Continuing Conference (provide number) __Cancellation Record

Mediator: _____ Appeared – Plaintiff: __YES __NO Defendant: __YES __NO

Plaintiff's Counsel: _____

Mediation Fee: ____ Paid ____ Due But Not Paid ____ Not Required

Today, being the date (or, if this is a Cancellation Record, a date prior to the date) for a scheduled mediation conference in the above-referenced foreclosure case that is subject to the Automatic Residential Mortgage Foreclosure Mediation Program, the Mediator, pursuant to Superior Court Administrative Directive No. 2012-2, hereby finds and recommends that (check all that apply):

- ☐ The parties agree that the scheduled mediation conference shall be cancelled and rescheduled for the date and time stated below.
- ☐ The __Defendant / __Plaintiff (check one) failed to appear and an additional mediation conference is being scheduled. (See below for date and time.) No judgment may be entered in the foreclosure action until the day after such date.
- ☐ The parties have agreed to schedule a new or additional mediation conference. (See below for date and time.)
- ☐ The parties have reached a mutually agreeable resolution. The essential terms of the agreement have been memorialized in writing and each party has a copy of that writing. The Plaintiff agrees that no entry of default judgment will be sought pending the execution of documents memorializing the agreement of the parties.
- ☐ The Plaintiff will seek to dismiss the foreclosure action upon execution of such documents by filing a notice or stipulation of dismissal or by moving the Court for dismissal, as appropriate, no later than 60 days from the date of such execution.
- ☐ The parties have agreed to a trial mortgage modification, which must be verified before any judgment. Plaintiff will seek to dismiss the foreclosure action upon the conversion of the trial modification to a permanent modification by filing a notice or stipulation of dismissal or by moving the Court for dismissal, as appropriate, no later than 60 days from the date of such conversion.
- ☐ The Plaintiff agrees to: _____.
- ☐ An additional mediation conference has been scheduled for this matter.

This mediation conference will be held on _____, 201__ at _____AM/PM.

No judgment may be entered in the foreclosure action until the day after the mediation record for this conference has been E-filed.

The Mediator will be _____. Telephone: _____

- ☐ Mediation is placed on hold because there was improper service of the complaint or the required notices. An additional mediation conference will be scheduled after proper service has been made. No judgment may be entered in the foreclosure action until the day after such conference.
- ☐ Mediation is placed on hold because a bankruptcy petition has been filed. Upon termination of the automatic stay, Plaintiff shall request that an additional mediation conference be scheduled. No judgment may be entered in the foreclosure action until the day after such conference.

[please complete second page]

Plaintiff's Counsel's Comments: _____

_____[Check to continue on Reverse: __]

The Mediator makes the following additional recommendations: _____

_____[Check to continue on Reverse: __]

☐ The __Defendant / __Plaintiff (check one) has refused to sign this Mediation Record. The stated reason for not signing is: _____

Signatures:

Plaintiff: _____ Defendant: _____

Mediator: _____

(Note if also signing on behalf of __Plaintiff __Defendant pursuant to Paragraph 16.2 of Administrative Directive 2013-2.)

The following result is expected __as a result of this mediation __as a result of the parties' efforts outside the Mediation Program:

- ☐ Ongoing Mediation ☐ Loan has been paid in full
- ☐ Foreclosure will proceed ☐ Short-Sale ☐ Deed-in-Lieu ☐ Cash-for-Keys
- ☐ Defendant will stay in home and pay a lower mortgage payment as a result of __lower interest, __reduced principal, _____.
This is a: ☐ Home Affordable Loan Modification ☐ Traditional Loan Modification
- ☐ Loan has been brought current by: ☐ Repayment Agreement; ☐ Forbearance Agreement; ☐ Full Arrears Payment
- ☐ Defendant will stay in home and pay rent ☐ Other: _____